

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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BRADFORD BODINE,

Plaintiff,

v.

CANACCORD GENUITY INC. and DANIEL  
DAVIAU, in his personal and professional  
capacities,

Defendants.

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Civil Action No. 15-CV-3019

**NOTICE OF DEFENDANTS' MOTION TO DISMISS THE COMPLAINT UNDER  
FED. R. CIV. P. 12(b)(1) AND 12(b)(6)**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss the Complaint Under Fed. R. Civ. P. 12(b)(1) and 12(b)(6), dated August 14, 2015, the Declaration of Ariella Feingold, dated August 14, 2015, and the Declaration of Andrew Viles, dated August 14, 2015, Defendants Canaccord Genuity Inc. and Daniel Daviau, by and through their undersigned counsel, will move before this Court, before the Honorable John G. Koeltl, at the Daniel Patrick Moynihan United States Courthouse for the Southern District of New York located at 500 Pearl Street, New York, NY 10007, at a time and date convenient for the Court, for an order dismissing with prejudice the entirety of the Complaint against the Defendants for lack of subject-matter jurisdiction under Rule 12(b)(1) and failure to state a claim under Rule 12(b)(6) of the Federal Rules of Civil Procedure. The basis for the motion is set forth in the accompanying Memorandum of Law.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's order dated July 27, 2015, Plaintiff's response to this motion is due on September 18, 2015, and Defendants' reply is due on October 2, 2015.

Dated: Boston, Massachusetts  
August 14, 2015

Respectfully submitted,

/s/ Ariella Feingold  
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(admitted *pro hac vice*)  
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*Attorneys for Defendants Canaccord  
Genuity Inc. and Daniel Daviau*

**Certificate of Service**

I hereby certify that on the 14<sup>th</sup> day of August 2015, a copy of (i) the foregoing Notice of Motion, (ii) Memorandum of Law in Support of the Motion to Dismiss by Defendants Canaccord Genuity Inc. and Daniel Daviau, (iii) Declaration of Ariella Feingold, and (iv) Declaration of Andrew Viles was filed with the Court through the CM/ECF system and served on all Filing Users.

Dated: August 14, 2015

/s/ Ariella Feingold  
Ariella Feingold